

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

NEW ENGLAND PATRIOTS FANS,

Plaintiffs,

v.

NATIONAL FOOTBALL LEAGUE; ROGER  
GOODELL, COMMISSIONER, Individually and in  
his capacity as the Commissioner of the NFL; and  
ROBERT KRAFT, Individually and in his capacity  
as the owner of the New England Patriots,

Defendants.

Civil Action No. 1:16-cv-10659-FDS

**MOTION TO DISMISS THE PLAINTIFFS' COMPLAINT**

The defendants National Football League and Roger Goodell ("NFL Defendants") move to dismiss the plaintiffs' complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) for lack of subject matter jurisdiction and 12(b)(6) for failure to state a claim upon which relief can be granted.

The NFL Defendants' Memorandum in support of the motion is submitted herewith. The NFL Defendants respectfully submit that this motion can be decided on the papers without oral argument.

Dated: April 15, 2016

Respectfully submitted,

/s/ John D. Donovan, Jr.

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League and Roger Goodell*

### **CERTIFICATE OF SERVICE**

I hereby certify that on April 15, 2016, I filed the foregoing Notice of Motion to Dismiss the Plaintiffs' Complaint with the United States District Court for the District of Massachusetts using the CM/ECF system, and caused it to be served on all registered participants via the notice of electronic filing (the "NEF").

/s/ John D. Donovan, Jr.

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